

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1459 Alexandria, Virginia 22313-1450 www.uspto.gov

APPLICATION NUMBER

6300 SEARS TOWER

233 S. WACKER DRIVE CHICAGO, IL 60606 FILING OR 371 (c) DATE

FIRST NAMED APPLICANT

ATTORNEY DOCKET NUMBER

10/813,661

03/30/2004

John McMichael

13024/38628A

CONFIRMATION NO. 5210

FORMALITIES LETTER

OC00000012956694

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Date Mailed: 06/16/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

09/03/2004 HALI11

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MARSHALL, GERSTEIN & BORUN LLP

FILED UNDER 37 CFR 1.53(b)

01 FC:2001 02 FC:2051 385.00 OP 65.00 OP

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.

 Applicant must submit \$ 385 to complete the basic filing fee for a small entity.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$450 for a Small Entity

- \$385 Statutory basic filing fee.
- \$65 Late oath or declaration Surcharge.

Replies should be mailed to:

Mail Stop Missing Parts

Commissioner for Patents

P.O. Box 1450

Alexandria VA 22313-1450

A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

PTO/SB/21 (04-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

work Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

-1		
١	Application Number	10/813,661-Conf. #5210
	Filing Date	March 30, 2004
	First Named Inventor	John McMichael
	Art Unit	1614
	Examiner Name	Not Yet Assigned
-	Attorney Docket Number	13024/38628A

Total Number of Pages III This Submiss				
ENCLOSURES (Check all that apply)				
X Fee Transmittal Form	Drawing(s)	After Allowance communication to Technology Center (TC)		
X Fee Attached	Licensing-related Papers	Appeal Communication to Board of Appeals and Interferences		
Amendment/Reply	Petition	Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)		
After Final	Petition to Convert to a Provisional Application	Proprietary Information		
Affidavits/declaration(s)	Power of Attorney, Revocation Change of Correspondence Address	Status Letter		
x Extension of Time Request	Terminal Disclaimer	Other Enclosure(s) (please Identify below):		
Express Abandonment Request	Request for Refund			
Information Disclosure Statement	CD, Number of CD(s)			
Certified Copy of Priority Document(s)				
X Response to Missing Parts/ Incomplete Application	Remarks			
Response to Missing Parts under 37 CFR 1.52 or 1.53				
* • *		·		
SIGNA	TURE OF APPLICANT, ATTORNEY, O	OR AGENT		
Firm MARSHALL, GERSTEIN & BORUN LLP Jeffrey S. Sharp Reg. No. 31,879				
Signature III & Dley				
Date August 30, 2004				

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١	shown below.	/// 0 0//
l	Dated: August 30, 2004	Signature:(Jeffrey S. Sharp)

PTO/SB/17 (10-03) Approved for use through 7/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE erwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. Complete if Known TRANSMITTAL 10/813,661-Conf. #5210 **Application Number** March 30, 2004 Filing Date for FY 2004 John McMichael First Named Inventor Effective 10/01/2003. Patent fees are subject to annual revision. Not Yet Assigned **Examiner Name** 1614 Applicant claims small entity status. See 37 CFR 1.27 Art Unit 13024/38628A Attorney Docket No. TOTAL AMOUNT OF PAYMENT 505.00 FEE CALCULATION (continued) METHOD OF PAYMENT (check all that apply) 3. ADDITIONAL FEES Other None x Check Order Deposit Account: Large Entity Small Entity Deposit Fee Fee Fee **Fee Description** Fee Paid 13-2855 (\$) Code (\$) Code Number 65.00 Surcharge - late filing fee or oath 65 1051 130 2051 MARSHALL, GERSTEIN & Deposit Surcharge - late provisional filing fee or cover Account **BORUN LLP** 2052 25 1052 50 Name sheet. The Director is authorized to: (check all that apply) 1053 130 Non-English specification 130 1053 X Credit any overpayments Charge fee(s) indicated below 2,520 For filing a request for ex parte reexamination 1812 2,520 1812 Charge any additional fee(s) or any underpayment of fee(s) Requesting publication of SIR prior to 9201 9201 1804 1804 Examiner action Charge fee(s) indicated below, except for the filing fee Requesting publication of SIR after 1805 1.840 1805 to the above-identified deposit account. Examiner action 55.00 Extension for reply within first month 2251 55 110 FEE CALCULATION 1251 Extension for reply within second month 2252 210 420 1252 1. BASIC FILING FEE Extension for reply within third month 2253 950 1253 Small Entity Large Entity Extension for reply within fourth month Fee Paid 2254 Fee Description Fee 1254 1 480 Fee Code (\$) 1,005 Extension for reply within fifth month 2255 1255 2.010 385.00 Utility filina fee 2001 385 770 1001 Notice of Appeal 2401 165 1401 330 Design filing fee 1002 340 2002 170 Filing a brief in support of an appeal 2402 165 330 1402 Plant filing fee 2003 265 1003 530 Request for oral hearing 290 2403 145 1403 Reissue filing fee 2004 385 1004 770 Petition to institute a public use proceeding 1,510 1451 1.510 1451 Provisional filing fee 160 2005 80 1005 Petition to revive - unavoidable 2452 55 1452 110 385.00 Petition to revive - unintentional SUBTOTAL (1) (\$) 1453 1,330 2453 665 Utility issue fee (or reissue) 1,330 2501 665 1501 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE Design issue fee 2502 240 480 Extra Fee from 1502 Fee Paid below Claims Plant issue fee 2503 320 1503 640 -20*1 Total Claims Petitions to the Commissioner 130 1460 1460 130 Independent Processing fee under 37 CFR 1.17(q) Claims 50 1807 50 1807 Multiple Dependent Submission of Information Disclosure Stmt 180 1806 1806 180 Large Entity Small Entity Recording each patent assignment per 8021 40 8021 40 property (times number of properties) Fee (\$) Fee Code Fee Fee Description Filing a submission after final rejection Code (\$) Claims in excess of 20 2809 1809 770 2202 (37 CFR 1.129(a)) 1202 18

SUBTOTAL (2) (\$) **or number previously paid, if greater; For Reissues, see ab	•Reduced by Basic Filing Fee Paid	SUBTO	TAL (3) (\$) 120.00
		(Complete	(if applicable))
SUBMITTED BY	Registration No. 31,879	Telephone	(312) 474-6300
Name (Print/Type) Jeffrey S. Sharp	(Attorney/Agent)	Date	August 30, 2004
Signature			<u></u>

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Other fee (specify)

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Dated: August 30, 2004

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Independent claims in excess of 3

Reissue independent claims

** Reissue claims in excess of 20

and over original patent

over original patent

Multiple dependent claim, if not paid

ffly/ Sy Signature: _

(Jeffrey S. Sharp)

120.00

For each additional invention to be

Request for expedited examination

Request for Continued Examination (RCE)

SUBTOTAL (3) (\$)

examined (37CFR 1.129(b))

of a design application

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Dated: August 30, 2004

Signature:

Docket No.: 13024/38628A

Group Art Unit: 1614

Examiner: Not Yet Assigned

PATENT

SE 02 700 E

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

e Patent Application of:

John McMICHAEL

Application No.: 10/813,661

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Filed: March 30, 2004

For:

METHODS FOR ALLEVIATING SYMPTOMS ASSOCIATED WITH NEUROPATHIC CONDITIONS COMPRISING ADMINISTRATION OF LOW LEVELS OF ANTIBODIES

> RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Mail Stop Missing Parts Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

Dear Sir:

Submitted herewith is a response to the Notice To File Missing Parts Of Nonprovisional Application issued by the Patent and Trademark Office on June 16, 2004 in connection with the above-referenced patent application. Submitted herewith is an authorization to pay the basic filing fee and the late filing fee surcharge.

Respectfully submitted,

MARSHALL, GERSTEIN & BORUN LLP 6300 Sears Tower 233 South Wacker Drive Chicago, Illinois 60606 312-474-6300

By:

Jeffrey S. Sharp

Registration No. 31,879 Attorney For Applicant

August 30, 2004

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